

Sylvester Bynum,
Applicant

v.

International Bank for Reconstruction and Development,
Respondent

ORDER

1. The World Bank Administrative Tribunal, composed of Robert A. Gorman, President, Francisco Orrego Vicuña and Thio Su Mien, Vice Presidents, and A. Kamal Abul-Magd, Bola A. Ajibola, Elizabeth Evatt and Jan Paulsson, Judges, received on February 7, 2000, an application by Sylvester Bynum which was submitted by his counsel.
2. Given the extent of the deficiencies in the application, the Executive Secretary of the Tribunal, on March 1, 2000, returned the application to the Applicant's counsel for corrections in accordance with Rule 7, paragraph 9, of the Rules of the World Bank Administrative Tribunal. In an accompanying letter, the Executive Secretary listed in detail the deficiencies in the application and specifically requested that a corrected application be submitted "within ten (10) days of the date of [the counsel's] receipt of this letter."
3. On April 26, 2000, the Applicant's counsel sent to the Secretariat of the Tribunal by fax a "draft" of the application, requesting that he be informed whether it met the "test for content and format." By a letter faxed on April 27, 2000, the Executive Secretary reminded the Applicant's counsel that a corrected application should have been resubmitted within ten (10) days of his receipt of the letter of March 1, 2000. The Executive Secretary advised the Applicant's counsel at that late stage to "submit as soon as possible the corrected application and annexes in their present form" and indicated that the "Tribunal will make a decision as to the next steps." A corrected application was thereafter received by the Secretariat on May 1, 2000, i.e., more than 60 days after the application was returned to the Applicant's counsel for corrections.
4. As it appeared to the President of the Tribunal that the corrected application was clearly irreceivable, he instructed the Executive Secretary, pursuant to paragraph 11 of Rule 7 of the Rules of the World Bank Administrative Tribunal, to take no further action thereon until the next session of the Tribunal.
5. Having considered the corrected application at its session of May 2000, the Tribunal concludes that it is clearly irreceivable in that it was submitted well beyond the ten (10) days stipulated by the Executive Secretary in his letter of March 1, 2000 and the Applicant's counsel has not presented any convincing arguments justifying his lateness in resubmitting the application.

Decision

The Tribunal unanimously decides that the application be summarily dismissed.

Robert A. Gorman

President

Nassib G. Ziadé

Executive Secretary

At Paris, France, May 18, 2000